

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SAMANTHA DICKOW,

Plaintiff,

Case No. 2:24-cv-10858

v.

Honorable Susan K. DeClercq
United States District Judge

UNITED STATES OF AMERICA,

Defendant.

ORDER DISMISSING CASE FOR FAILURE TO PROSECUTE

On July 31, 2024, Plaintiff Samantha Dickow was ordered to show cause why the case should not be dismissed for failure to serve Defendant United States of America. ECF No. 11. Dickow's deadline to perfect service was extended until September 2, 2024. *Id.* at PageID.37.

Proper service of process is fundamental for courts to exercise jurisdiction over defendants. *Lu v. SAP Am., Inc.*, No. 22-1253, 2022 WL 13983546, at *3 (6th Cir. Oct. 24, 2022) (citing *Canaday v. Anthem Cos.*, 9 F.4th 392, 395 (6th Cir. 2021)). Civil Rules 4(m) and 41(b) mandate dismissal if service is not completed within the allotted time, unless good cause is shown for the failure. *See Koehn v. 313 Presents, LLC*, 649 F. Supp. 3d 465, 467 (E.D. Mich. 2023) (citing *Friedman v. Est. of Presser*, 929 F.2d 1151, 1157 (6th Cir. 1991)).

Dickow was warned that failure to do so would result in her case being dismissed. ECF No. 11 at PageID.37–38. But to date, Dickow has neither filed proof of service, nor shown good cause for her failure to perfect service.

Accordingly, it is **ORDERED** that the Complaint, ECF No. 1, is **DISMISSED WITHOUT PREJUDICE** under Civil Rules 4(m) and 41(b).

This is a final order and closes the above-captioned case.

/s/Susan K. DeClercq
SUSAN K. DeCLERCQ
United States District Judge

Dated: 9/10/2024